

ADVANCE REGISTRATION DEADLINE: JUNE 1, 2012



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# 2012 APPELLATE ADVOCACY SEMINAR

JUNE 21-22, 2012

HYATT REGENCY CAMBRIDGE  
CAMBRIDGE, MASSACHUSETTS

## REASONS TO ATTEND

- Valuable insights from six appellate judges stemming from a live moot court demonstration, specific writing critiques and other discussion
- Advanced instruction on specific issues frequently confronting businesses with issues on appeal
- Networking opportunities with experienced practitioners and in-house counsel
- Earn up to 12 hours of CLE, including 1 hour of ethics credit, with approval pending for legal specialization credit in civil appellate law for California, Florida, Ohio and Texas

DRI DELIVERS RESOURCES TO BUILD YOUR PRACTICE



At DRI's 10th Appellate Advocacy Seminar, experienced appellate practitioners, in-house counsel and occasional appellate advocates alike will benefit from a distinguished faculty of judges, in-house counsel and leading practitioners providing valuable instruction and insight on effective advocacy, strategies and business tactics. The live oral argument and writing sessions will provide concrete examples of what went well and what went poorly in a high-level appeal that featured some of the best appellate practitioners in the country. Other speakers will address broad, important topics, such as appeals from the in-house perspective and building an appellate practice, as well as specific issues, such as interacting effectively with the government and strategies for addressing emerging appellate issues in e-discovery and social media.



**Tillman J. Breckenridge**  
Program Chair



**Robert L. Wise**  
Program Vice Chair



**Diane B. Bratvold**  
Committee Chair



**C. Mitchell Brown**  
Committee Vice Chair



**Keri Lynn Bush**  
Law Institute

**Presented by DRI's  
Appellate Advocacy  
Committee**

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## WHAT YOU WILL LEARN

- Specific aspects of good writing from the judges who read the briefs and rule on the cases
- Tips on effective oral advocacy from the judges who hear the arguments
- How in-house counsel effectively manage their appellate dockets and relationships with outside appellate counsel
- Compelling historical context for appellate practice and the growth of the nation
- Recent developments in law from the appellate courts that are important to businesses
- Tips on building an appellate practice
- How to handle review of interlocutory orders effectively



## PROGRAM SCHEDULE

## WEDNESDAY, JUNE 20, 2012

6:00 p.m. **Registration**

6:00 p.m. **Diversity Networking Reception**

**Speaker: The Honorable O. Rogeriee Thompson,** *United States Court of Appeals for the First Circuit, Boston, Massachusetts*

*Sponsored by Christian & Small LLP*

## THURSDAY, JUNE 21, 2012

7:15 a.m. **Registration**

7:15 a.m. **Continental Breakfast**

*Sponsored by Nelson Mullins Riley & Scarborough LLP*

8:15 a.m. **Welcome and Introduction**

**Keri Lynn Bush,** *Lewis Brisbois Bisgaard & Smith LLP, Costa Mesa, California*

**Diane B. Bratvold,** *Briggs and Morgan PA, Minneapolis, Minnesota*

**Tillman J. Breckenridge,** *Reed Smith LLP, Washington, D.C.*

8:30 a.m. **Appellate Advocacy from the Judges' Point of View**

A panel of three appellate judges will preside over a moot court with two experienced appellate practitioners providing the arguments. The parties will argue *Kurns v. Railroad Friction Prods. Corp.*, a topical case for businesses that sits at the intersection of federal preemption and employment law. The panel and advocates will provide comments about their expectations prior to the argument. After argument, the judges will confer, rule and then offer their insights about effective oral advocacy and their reactions to the presentations.

**Moderator: James C. Martin,** *Reed Smith LLP, Pittsburgh, Pennsylvania*

**Moot Court Judges**

**The Honorable Peter W. Hall,** *United States Court of Appeals for the Second Circuit, Rutland, Vermont*

**The Honorable Sandra L. Lynch,** *United States Court of Appeals for the First Circuit, Boston, Massachusetts*

**The Honorable Myron T. Steele,** *Delaware Supreme Court, Dover, Delaware*

**Moot Court Advocates**

**Diane B. Bratvold,** *Briggs and Morgan PA, Minneapolis, Minnesota*

**Catherine R. Connors,** *Pierce Atwood LLP, Portland, Maine*

10:30 a.m. **Refreshment Break**

*Sponsored by Reed Smith LLP*

10:45 a.m. **Hot Topics Concerning In-House Management of Appeals**

Experienced in-house counsel will discuss how they manage their appellate processes, including how they hire, how they keep arguments consistent across their dockets, appellate strategies they have developed, the briefing process and expectations for oral argument, and integration of appellate counsel at the trial court level. Handling alternative fee arrangements and ways to limit appellate costs for their clients without damaging the likelihood of success will also be covered. Learn how best to approach in-house counsel for appellate business and what corporate counsel look for when hiring appellate counsel.

**Moderator: Michelle J. Sheehan,** *Reminger Co. LPA, Cleveland, Ohio*

**Panel**

**Neal S. Berinhout,** *AT&T Mobility LLC, Atlanta, Georgia*

**Marcy Hahn Wolfson,** *Ford Motor Company, Dearborn, Michigan*

12:15 p.m. **Lunch** (*on your own*)



1:30 p.m. **Recent Decisions and Pending Cases Important to the Business Client**

In an interview style format, Ms. Odorizzi, chair of her firm's Supreme Court and appellate practice group, will discuss recent appellate decisions that are likely to affect the business client, as well as pending cases involving issues of significance to the corporate world.

**Interviewer:** Jill M. Wheaton, *Dykema Gossett PLLC*, Ann Arbor, Michigan

**Speaker:** Michele L. Odorizzi, *Mayer Brown LLP*, Chicago, Illinois

2:30 p.m. **Upcoming Appellate Issues in E-Discovery and Social Media**

Social media and e-discovery issues arise routinely at the trial court level and will be surfacing in the appellate courts soon. Winning or losing on appeal may turn on counsel's knowledge of and ability to communicate effectively regarding electronically stored information and e-discovery. This session will examine strategies to address e-discovery and social media issues most effectively on appeal, the e-discovery and social media issues likely to reach the appellate courts first, and the impact those issues may have on business litigation.

**Moderator:** Deborah Alley Smith, *Christian & Small LLP*, Birmingham, Alabama

**Panel**

**Vincent M. Catanzano**, *E. I. du Pont de Nemours and Company*, Wilmington, Delaware

**David C. Shonka**, *Federal Trade Commission*, Washington, D.C.

3:30 p.m. **Refreshment Break**

*Sponsored by Alexander Dubose & Townsend LLP*

3:45 p.m. **Building an Appellate Practice**

Appellate lawyers develop their business as advisors and specialists, and usually partner with trial attorneys. How appellate lawyers interact within their law firm and attract

clients from outside the law firm is central to professional success and satisfaction. Mr. Berg will discuss how he built his appellate practice and provide tips for developing vibrant client and referral relationships inside and outside the law firm.

**Timothy J. Berg**, *Fennemore Craig PC*, Phoenix, Arizona

4:30 p.m. **Historical Origins of American Appellate and Constitutional Law**

Boston and its surroundings played a critical role in the development of appellate and constitutional process and procedure. This presentation will provide images and analysis of the original Massachusetts Bay Colony charter, the Mayflower Compact, and other artifacts that will shed new light on the deep roots of today's appellate practice.

**David A Furlow**, *Thompson & Knight LLP*, Houston, Texas

5:00 p.m. **Appellate Advocacy Committee Meeting**  
*(open to all)*

6:00 p.m. **Networking Reception**  
*Sponsored by Andrews Kurth LLP*

7:30 p.m. **Dine-Arounds**  
Join colleagues and friends at selected restaurants for dinner *(on your own)*.  
*More details on-site.*

**FRIDAY, JUNE 22, 2012**

7:00 a.m. **Registration**

7:00 a.m. **Continental Breakfast**  
*Sponsored by Smith Moore Leatherwood LLP*

7:00 a.m. **In-House to In-House Breakfast**  
*Sponsored by DRI Corporate Counsel Committee*

8:00 a.m. **Announcements**  
**Robert L. Wise**, *Bowman and Brooke LLP*, Richmond, Virginia



8:15 a.m. **Writing for the Appellate Audience**

A panel of appellate judges will discuss writing in a way that appeals to them and their clerks. They will review the strengths and weaknesses of the petition stage filings and briefs in *Kurns*, giving concrete examples of what they like and dislike. The panel will also cover effective writing tips, styles and strategies for appeals with issues of first impression, complex legal issues, complex factual issues and matters of important public concern.

**Moderator: C. Mitchell Brown**, *Nelson Mullins Riley & Scarborough LLP*, Columbia, South Carolina

**Panel**

**The Honorable Michael J. Melloy**, *United States Court of Appeals for the Eighth Circuit*, Cedar Rapids, Iowa

**The Honorable Francis X. Spina**, *Supreme Court of Massachusetts*, Boston, Massachusetts

9:45 a.m. **Refreshment Break**

*Sponsored by Reed Smith LLP*

10:00 a.m. **Media and the Appellate Courts**

With one of the most visible Supreme Court terms in decades nearing its end, the Court's decisions will be scrutinized and criticized, and public opinion in an election year will be shaped, in large part, by the fourth estate. The Supreme Court correspondent for the *Huffington Post* will provide commentary and insights on the significant appellate issues of the day, as well as the role of new media in shaping public opinion on appellate matters.

**Mike Sacks**, *Huffington Post*, Washington, D.C.

10:45 a.m. **Interacting Effectively with the Government When It Is Involved in Your Case**

What should an appellate attorney do when the federal or state solicitor general's office, or a federal or state agency, is considering whether to become involved, or already has become involved, in a private party appeal, either as an intervenor or as an amicus curiae? How and when you provide written or oral input may be crucial. This panel will

discuss the best approaches for interacting with federal and state appellate attorneys so that they will be more likely to support your client's position, or at least be less likely to support your opponent's.

**Moderator: Lawrence S. Ebner**, *McKenna Long & Aldridge LLP*, Washington, D.C.

**Panel**

**John J. Bursch**, *Office of the Solicitor General of Michigan*, Lansing, Michigan

**Melissa Arbus Sherry**, *Office of the Solicitor General of the United States*, Washington, D.C.

11:45 a.m. **Lunch (on your own)**

1:00 p.m. **Interlocutory Review of Orders**

When clients are hit with adverse trial court rulings that have serious consequences for a case, a decision must be made whether to seek immediate appellate review. There are many strategic and practical facets to the seeking interlocutory review of orders, depending on the stakes and subject matter of the dispute. Mr. Tulumello will discuss how to approach interlocutory review of orders with clients and courts, with special attention to class action rulings, preliminary injunction rulings and 1292(b) appeals.

**Andrew S. "Drew" Tulumello**, *Gibson Dunn & Crutcher LLP*, Washington, D.C.

2:00 p.m. **With Friends Like These...: Exploring the Ethics of Amicus Support**

From "ghost-writing" to funding to the proper use of amici and compliance with various courts' procedural and ethical rules, gathering and presenting amicus curiae support can present a host of potential ethical issues and pitfalls for the unwary appellate practitioner. Mr. Riegel, a frequent "friend of the court" participant, will address the source of many of these potential problem areas and offer practical solutions from both the party and amicus perspectives.

**Quentin Riegel**, *National Association of Manufacturers*, Washington, D.C.

3:00 p.m. **Adjourn**



## GENERAL INFORMATION

## CLE ACCREDITATION

This seminar has been approved for MCLE credit by the State Bar of California in the amount of **12** hours, including **1** hour of ethics credit. Accreditation has been requested from every state with mandatory continuing legal education (CLE) requirements. Certificates of attendance will be provided to each attendee. Attendees are responsible for obtaining CLE credits from their respective states. Application for legal specialization credit in civil appellate law has been made for the states of California, Florida, Ohio and Texas. Credit availability and requirements vary from state to state; please check our website at [www.dri.org](http://www.dri.org) for credit information for your state.

## REGISTRATION

The registration fee is **\$745** for members and those who join DRI when registering and **\$975** for nonmembers. The registration fee includes course materials, continental breakfasts, refreshment breaks and networking receptions. If you wish to have your name appear on the registration list distributed at the conference and receive the course materials in advance, DRI must receive your registration by **June 1, 2012** (please allow 10 days for processing). Registrations received after **June 1, 2012**, will be processed on-site.

## REFUND POLICY

The registration fee is fully refundable for cancellations received on or before **June 1, 2012**. Cancellations received after **June 1** and on or before **June 8, 2012**, will receive a refund, less a \$50 processing fee. Cancellations made after **June 8** will not receive a refund, but the course materials on CD-ROM and a \$100 certificate good for any DRI seminar within the next 12 months will be issued. All cancellations and requests for refunds must be made in writing. Fax to DRI's Accounting Department at 312.795.0747. All refunds will be mailed within four weeks after the date of the conference. Substitutions may be made at any time without charge and must be submitted in writing.

## HOTEL ACCOMMODATIONS

A limited number of discounted hotel rooms have been made available at the **Hyatt Regency Cambridge, 575 Memorial Drive, Cambridge, Massachusetts 02139**. For reservations, visit [www.dri.org](http://www.dri.org) and go to the Appellate Advocacy Seminar page or **contact the hotel directly at 617.492.1234**. Please mention **DRI's Appellate Advocacy Seminar** to take advantage of the group rate of **\$235 Single/Double**. The hotel block is limited and rooms and rates are available on a first-come, first-served basis. You must make reservations by **May 22, 2012**, to be eligible for the group rate. Requests for reservations made after **May 22** are subject to room and rate availability.

## SPECIAL DISCOUNTS

## GROUP DISCOUNT

The first and second registrations from the same firm or company are subject to the fees outlined above. The registration fee for additional registrants from the same firm or company is **\$695**, regardless of membership status. All registrations must be received at the same time to receive the discount.

## IN-HOUSE COUNSEL

In-house counsel are eligible for free registration to DRI seminars. In-house counsel are defined as licensed attorneys, who are employed exclusively by a corporation or other private sector organization for the purpose of providing legal representation and counsel only to that corporation, its affiliates and subsidiaries. In order to qualify for free registration, the individual must also be a DRI member and a member of DRI's Corporate Counsel Committee. Offer excludes the DRI Annual Meeting.

## CLAIMS EXECUTIVES

Any DRI member employed as a claims professional by a corporation or insurance company, who spends a substantial portion of his or her professional time hiring or supervising outside counsel in the representation of business, insurance companies or their insureds, associations or governmental entities in civil litigation, will be entitled to free attendance at any DRI seminar. Offer excludes DRI Annual Meeting.

## TRAVEL DISCOUNTS

DRI offers discounted meeting fares on various major air carriers for **DRI's Appellate Advocacy Seminar** attendees. To receive these discounts, please contact Hobson Travel Ltd., DRI's official travel provider, at 800.538.7464. As always, to obtain the lowest available fares, early booking is recommended.

The taping or recording of DRI seminars is prohibited without the written permission of DRI.

Speakers and times may be subject to last-minute changes.

DRI policy provides there will be no group functions sponsored by others in connection with its seminars.

## FACULTY

**Timothy J. Berg** is a director with the Phoenix office of Fennemore Craig PC and chair of its management committee. Mr. Berg practices primarily in civil appeals and public utilities regulation and has briefed or argued over 300 appeals before the Second, Fourth, Fifth, Ninth, Eleventh and Federal Circuits, the Supreme Court of Arizona and both divisions of the Arizona Court of Appeals. His appellate practice spans employment law, medical malpractice, product liability, environmental, state and local taxation, business torts, real property and mineral rights, bankruptcy, public records law and public utilities law.

**Neal S. Berinhout** spent 15 years in law firms and the last 11 years as head of litigation for AT&T's wireless business in Atlanta. His practice has focused on complex civil litigation—on the defense side for 25 years and on the plaintiff side for one year. Mr. Berinhout was the architect of the long-term strategy that culminated in the landmark *AT&T Mobility v. Concepcion* victory in the Supreme Court in 2011.

**Diane B. Bratvold** is a shareholder with Briggs and Morgan PA in Minneapolis. Ms. Bratvold is a fellow of the American Academy of Appellate Lawyers and the chair of DRI's Appellate Advocacy Committee. She is the past chair of the Minnesota State Bar Association's Appellate Practice Section and past president of the Eighth Circuit Bar Association. Ms. Bratvold teaches appellate advocacy at the University of St. Thomas Law School and is a co-author of *The Art of Advocacy: Appeals*.

**Tillman J. Breckenridge** is a member of Reed Smith LLP's appellate group and leads the appellate practice for the Washington, D.C., and Virginia offices. He has represented companies, organizations, individuals and foreign, state and local governments before the United States Supreme Court and the U.S. Courts of Appeals for the Third, Fourth, Seventh, Ninth, District of Columbia and Federal Circuits, as well as the California courts of appeal and the Illinois courts of appeal. Mr. Breckenridge is the program chair of this seminar.

**C. Mitchell Brown** is a partner in Nelson Mullins Riley & Scarborough LLP in Columbia, South Carolina, and leads the firm's South Carolina appellate practice group. Mr. Brown has made more than 60 oral arguments in appellate courts. He has been retained by clients who have suffered multi-million dollar verdicts in South Carolina. He is a fellow of the American Academy of Appellate Lawyers, and has been named in *Best Lawyers of America* and in *Super Lawyers* for appellate practice. Mr. Brown is the vice chair of DRI's Appellate Advocacy Committee.

**John J. Bursch** is Michigan's 10th solicitor general. He supervises all of Michigan's appellate litigation, with a special emphasis on matters pending in the Michigan and United States Supreme Courts. Under Mr. Bursch's leadership, Michigan regularly submits multistate amici briefs in the U.S. Supreme Court to support other states and private parties. He is a past chair of the ABA's Council of Appellate Lawyers and a former member of DRI's Amicus Committee.

**Keri Lynn Bush** is a partner with Lewis Brisbois Bisgaard & Smith LLP in its Orange County, California, office, where she focuses on employment related matters. Ms. Bush is active in DRI: national director (2004–2007); steering committee member of Employment and Labor Law Committee; former chair of the Lawyers' Professionalism and Ethics Committee; regional editor of *The Job Description*; member of the Strategic Planning Committee; member of DRI's Task Force on Women Who Try Cases; and a member of DRI's Law Institute.

**Vincent M. Catanzaro** is senior counsel, global discovery manager for E. I. du Pont de Nemours and Company in Wilmington, Delaware. Mr. Catanzaro is responsible for counseling the company concerning how best to comply with evolving legal standards relating to discovery, guiding and supporting the legal teams in the development of e-discovery response strategies and the use of litigation technology, coordinating, managing and monitoring the work of the company's discovery vendors and overseeing DuPont Legal's Discovery Excellence Center.



**Catherine R. Connors** is a partner in the law firm of Pierce Atwood LLP in Portland, Maine. She concentrates her practice on appellate law, both civil and criminal defense. Ms. Connors is a member of the State Bars of Maine and Massachusetts and the ABA Council of Appellate Lawyers and is the author of the blog [www.maineappeals.com](http://www.maineappeals.com).

**Lawrence S. Ebner** heads the nationwide appellate litigation practice at McKenna Long & Aldridge LLP in Washington, D.C. He focuses on appeals involving complex federal issues. This includes cases in which the United States has a direct interest, either as a party or amicus curiae. Mr. Ebner is the author of an article for the DRI Appellate Advocacy Committee's *Certworthy* newsletter entitled "The United States as Amicus Curiae: Making Uncle Sam Your New Best Friend."

**David A. Furlow** is a board certified appellate partner in the Houston office of Thompson & Knight LLP. Mr. Furlow has litigated constitutional and employment benefits issues in the U.S. Supreme Court, Fifth Circuit, Seventh Circuit, Ninth Circuit and Texas Supreme Court. Now the executive editor of the *Texas Supreme Court Historical Society Journal*, he has served as a script consultant and a talking-head expert on a History Channel documentary and has spoken at numerous historical and archaeological conferences in Texas, Virginia, Maryland, Delaware, Pennsylvania and New York.

**The Honorable Peter W. Hall** was appointed United States Circuit Judge for the Second Circuit in July 2004. Previously, he was United States Attorney for Vermont from October 2001 to July 2004. From 1986 to 2001, he was in private practice, concentrating in state and federal trial and appellate litigation. From 1978 to 1986, he served as an Assistant U.S. Attorney and later First Assistant U.S. Attorney in the District of Vermont.

**The Honorable Sandra L. Lynch** was appointed to the First Circuit in 1995 by President Clinton. She is the first woman to serve as chief judge of the U.S. Court of Appeals for the First Circuit. Her opinions are among the most frequently cited of federal court of appeals judges. Before coming to the federal bench, Chief Judge Lynch served as an assistant attorney general for the Commonwealth of Massachusetts, general counsel of the Massachusetts Department of Education, and was a partner in a Boston law firm.

**James C. Martin** is a partner in the appellate practice group at Reed Smith LLP, practicing in the Pittsburgh and Los Angeles offices. He is a fellow and secretary of the American Academy of Appellate Lawyers, a member and former president of the California Academy of Appellate Lawyers, a founder and former president of the Third Circuit Bar Association, and recognized by *Super Lawyers* and *Best Lawyers in America* for appellate law. He is a member of DRI's Appellate Advocacy Committee and a frequent author and speaker on appellate related topics.

**The Honorable Michael J. Melloy** was appointed to the U.S. Court of Appeals for the Eighth Circuit in February 2002 by President George W. Bush. Judge Melloy also has served as chief judge, judge and bankruptcy judge for the Northern District of Iowa. Before his appointment to the bench, Judge Melloy was in private practice in Dubuque, Iowa, where he was born and raised.

**Michele L. Odorizzi** is a partner in Mayer Brown LLP's Supreme Court and appellate practice in its Chicago office. She has litigated a wide range of issues over more than 30 years of practice at Mayer Brown and has argued over 60 appeals in federal and state courts throughout the country. Ms. Odorizzi specializes in corporate governance, securities, class action and consumer fraud, as well as constitutional issues and general commercial disputes.

**Quentin Riegel** is the vice president for litigation of the National Association of Manufacturers in Washington, D.C. He handles appellate litigation on manufacturing issues of all kinds, most recently focusing on EPA, OSHA and NLRB regulation, as well as product liability, punitive damages, class actions, taxation and employment discrimination. Mr. Riegel is a member of the District of Columbia and Maryland bars.

**Mike Sacks** is the Supreme Court correspondent for the *Huffington Post*. Prior to joining HuffPost, Mr. Sacks blogged about the Supreme Court at First One @ One First. His work was featured in the *New York Times* and NPR, and he contributed reporting about law and politics to the *Christian Science Monitor* and the *ABA Journal*.

**Michelle J. Sheehan** is a shareholder with Reminger Co. LPA in Cleveland, Ohio. She concentrates her legal practice on appellate advocacy and complex legal writing. Ms. Sheehan has represented clients before almost every appellate court in Ohio, the Ohio Supreme Court and the Sixth Circuit Court of Appeals. She is also a frequent lecturer for professional associations and continuing legal education seminars on appellate, insurance coverage and risk management issues.

**Melissa Arbus Sherry** is an assistant to the Solicitor General of the United States in Washington, D.C. She joined the Office of the solicitor general in August 2009, after spending several years in private practice as an appellate attorney. Ms. Sherry clerked for Justice John Paul Stevens during the Court's OT '04–'05 and for Judge Diana Gribbon Motz on the Fourth Circuit. She was named one of the top 30 lawyers under 30 by *Bisnow* in 2008.

**David C. Shonka** is the Federal Trade Commission's principal deputy general counsel. He chairs its E-discovery Steering Committee, and among other things, oversees the general counsel's litigation unit. Mr. Shonka has briefed and argued numerous cases in federal appellate courts and tried and argued many cases in the federal district courts. He frequently speaks on e-discovery topics, including government investigations, cross-border transfers of data, information management, privacy, data security and records preservation.

**Deborah Alley Smith** is a partner in the Birmingham, Alabama, firm of Christian & Small LLP, where she serves as the managing partner and head of the appellate practice group. Her practice focuses on appellate and post-verdict litigation in state and federal courts. She has briefed and successfully argued cases in the United States Supreme Court, the United States Courts of Appeals for the Fifth and Eleventh Circuits and the Alabama appellate courts. She is an active member of DRI and her state and local bar associations.

**The Honorable Francis X. Spina** is an associate justice of the Supreme Court of Massachusetts. He served with the Western Massachusetts Legal Services from 1972 to 1974. From 1975–1977, he was an assistant city solicitor for the City of Pittsfield Law Department. From 1979–1983, he served as second assistant district attorney in the Berkshire County Attorney's Office. Thereafter he was in private practice for 10 years. Judge Spina served on the Superior Court (1993–1997), the Massachusetts Appeals Court (1997–1999) and was appointed as an associate justice on October 14, 1999.

**The Honorable Myron T. Steele** is the chief justice of the Supreme Court of Delaware, located in Dover. Previously, he served as a vice chancellor of the Court of Chancery. He has published over 400 opinions resolving disputes among members of limited liability companies and limited partnerships, and between shareholders and management of both publicly traded and close corporations. *Lawdragon* Magazine has consistently placed him among its annual "Top Judges in America." He is a member of the National Center for State Courts and first vice president of the Conference of Chief Justices.

**The Honorable O. Rogeriee Thompson** sits on the United States Court of Appeals for the First Circuit in Boston. After serving as the first African-American woman on the Rhode Island District Court and then serving on the Rhode Island Superior Court, Judge Thompson was appointed to the First Circuit by President Barack Obama and confirmed by a 98–0 vote in 2010.

**Andrew S. "Drew" Tulumello** is the co-partner-in-charge of the Washington, D.C., office of Gibson Dunn & Crutcher LLP and also serves as vice chair of the firm's class action practice and crisis management practice groups. He is also an adjunct professor at the Georgetown University Law Center, co-teaching class action law and practice. Mr. Tulumello has been recognized numerous times, including by *Benchmark Litigation* as being one of Washington D.C.'s top litigators.

**Jill M. Wheaton** is a partner in the litigation group of Dykema Gossett PLLC, resident in its Ann Arbor, Michigan, office. She is the chair of the firm's appellate practice team. Ms. Wheaton has represented clients in numerous state and federal courts of appeals throughout the country. She is an active member of DRI's Appellate Advocacy Committee.

**Robert L. Wise** is a partner with the Richmond, Virginia, office of Bowman and Brooke LLP. He is the founder of the firm's appellate and trial support practice and concentrates his practice in the areas of appellate, product liability, commercial and intellectual property litigation, working on appeals and advanced legal issues in cases throughout the country. Mr. Wise is active in DRI's Appellate Advocacy and Diversity Committees.

**Marcy Hahn Wolfson** manages Ford Motor Company's appeals in Dearborn, Michigan. Her responsibilities include all aspects of Ford's appellate practice, including bonding, appellate staffing, substantive strategy, assessment and internal reporting. Her additional projects include the continuing development of Ford's approach to litigating punitive damages and forum non conveniens strategy and coordination. Prior to joining Ford in 2002, Ms. Wolfson was an associate in the commercial litigation department of a Michigan law firm, after clerking in the Eastern District of Michigan.



## COMMITTED TO DIVERSITY

**DIVERSITY AND INCLUSION  
IN DRI:**

**A STATEMENT OF PRINCIPLE**

DRI is the largest international membership organization of attorneys defending the interests of business and individuals in civil litigation. Diversity is a core value at DRI. Indeed, diversity is fundamental to the success of the organization, and we seek out and embrace the innumerable benefits and contributions that the perspectives, backgrounds, cultures and life experiences a diverse membership provides. Inclusiveness is the chief means to increase the diversity of DRI's membership and leadership positions. DRI's members and potential leaders are often also members and leaders of other defense organizations. Accordingly, DRI encourages all national, state and local defense organizations to promote diversity and inclusion in their membership and leadership.



## SEMINAR SPONSORS

DRI wishes to thank our sponsors for their support at this year's seminar!



## 2012 SEMINAR SCHEDULE

- May 10-11 **Drug and Medical Device**  
*Hilton New Orleans Riverside, New Orleans, LA*
- May 10-11 **Retail and Hospitality Litigation and Claims Management**  
*Swissôtel Chicago, Chicago, IL*
- May 17-18 **Business Litigation and Intellectual Property**  
*Sheraton New York Hotel & Towers, New York, NY*
- June 7-8 **Diversity for Success**  
*Swissôtel Chicago, Chicago, IL*
- June 14-15 **Young Lawyers**  
*Eden Roc Renaissance Miami Beach, Miami Beach, FL*
- June 21-22 **Appellate Advocacy**  
*Hyatt Regency Cambridge, Cambridge, MA*
- September 20-21 **Construction Law**  
*Arizona Biltmore, Phoenix, AZ*
- September 20-21 **Nursing Home/ALF Litigation**  
*The Cosmopolitan of Las Vegas, Las Vegas, NV*
- October 24-28 **Annual Meeting**  
*New Orleans Marriott, New Orleans, LA*
- November 8-9 **Asbestos Medicine**  
*Fontainebleau Miami Beach, Miami Beach, FL*
- December 6-7 **Insurance Coverage and Practice**  
*Sheraton New York Hotel & Towers, New York, NY*
- December 6-7 **Professional Liability**  
*Sheraton New York Hotel & Towers, New York, NY*

# APPELLATE ADVOCACY SEMINAR

JUNE 21-22, 2012

HYATT REGENCY CAMBRIDGE ■ CAMBRIDGE, MASSACHUSETTS

*For inclusion on the preregistration list and to receive course materials in advance,  
register by June 1, 2012*

FORMAL NAME

TITLE

NAME (as you would like it to appear on badge)

COMPANY/FIRM/LAW SCHOOL

ADDRESS

CITY

STATE/PROVINCE

ZIP/POST CODE

TELEPHONE

FAX

EMAIL

Are you a first-time attendee at this DRI seminar?  Yes  No

How many attorneys are in your firm? \_\_\_\_\_

What is your primary area of practice? \_\_\_\_\_

## REGISTRATION FEE

Registration fee includes seminar attendance, networking events and course materials. DRI will email a link to download the course materials to all registrants two weeks in advance of the seminar. The CD will be included in the registration packet on-site. You can order additional copies by checking the appropriate box below or going online at [www.dri.org](http://www.dri.org).

- |   |       |
|---|-------|
| <input type="checkbox"/> Member                   | \$745 |
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| <input type="checkbox"/> Government Member        | \$500 |
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(\*as defined on page 6)

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